



## Legislation Text

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**File #:** 21-0254, **Version:** 1

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**TO:** Mayor Richard C. Irvin

**FROM:** Jason Bauer, P.E. - Assist. Dir. Of Public Works - Assist. City Engineer

**DATE:** 04-12-2021 - IT Committee Meeting

**SUBJECT:**

A Resolution to accept the public improvements, waive the maintenance security, and accept and execute an Intergovernmental agreement ( the "Agreement") by and between the City of Aurora and East Aurora School District No. 131 regarding the maintenance of street curb for the completed EASD - H.S Expansion, COA Case No. 16.040, located at 417 5th St., Aurora, IL. 60505-4700, in Aurora, Illinois Ward 3.

**PURPOSE:**

To accept the public improvements installed by the Developer of this project, to waive the normally required, one-year maintenance security for these improvements and to accept and execute the agreement.

**BACKGROUND:**

This is a development that expanded site development for the existing EAHS property. In accordance with Section 43-55(a)(3) of Aurora's Municipal Code, the Developer of the Project posted a security to ensure completion of these improvements including, Detention Pond improvements, roadway improvements, water main improvements, erosion control. Additionally, the agreement has been added to resolve an outstanding issue associated with curb work along Gates Street that was approved as part of the developments required improvements, but was not installed.

**DISCUSSION:**

This development has now completed all installations with the exception of those covered by the agreement, and all inspections and submissions that make it eligible to be recommended by the Engineering Division for final acceptance of these improvements and the acceptance and execution of the agreement. As required by Section 43-103(c) of the Municipal Code, the Engineering Division has reviewed, approved and filed as-constructed record plans for the development which depict these limited public improvements and has completed and approved a final site inspection of said improvements via our onsite consultant. Based on our review and approved site inspection, it is recommended by the Engineering Division, that City Council accept the public improvements, and, due to and the length of time that has passed since these overall improvements were completed we also recommend that the normally required one year maintenance security be waived, and the original previously reduced security posted for the site be returned. Additionally we are also recommending the acceptance and execution of the agreement

**IMPACT STATEMENT:**

This action adds or replaces public infrastructure - utilities to various divisions for maintenance, including the Division of Water and Sewer Maintenance; the Water Production Division; the Street Maintenance Division; the Electrical Division; all of which have been apprised of these new or replaced utilities.

**RECOMMENDATIONS:**

Approve the acceptance of improvements, waiving the one-year maintenance security and accepting and executing the agreement for EASD - H.S Expansion.



CITY OF AURORA, ILLINOIS

RESOLUTION NO. \_\_\_\_\_  
DATE OF PASSAGE \_\_\_\_\_

A Resolution accepting the public improvements, waiving the maintenance security, and accepting and executing an Intergovernmental Agreement ( the "Agreement") by and between the City of Aurora and East Aurora School District No. 131 regarding the maintenance of street curb for the completed EASD - H.S Expansion, COA Case No. 16.040, located at 417 5th St., Aurora, IL. 60505-4700.

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, East Aurora School District 130, has completed the public improvements for said project with the exception of those covered by the agreement; and

WHEREAS, these said improvements have been properly inspected during construction by the Engineering Department, or their authorized representative, and were found to be in substantial conformance with the approved plans; and

WHEREAS, the City Engineer has recommended acceptance of the improvements and due to the length of time that has pasted since these improvements were inspected and approved, has also recommended waiving the normally required one- year maintenance security and additionally is recommending acceptance and execution of the agreement;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Aurora, Illinois, as follows: that the acceptance of these public improvements be approved, that the normally required one year maintenance security be waived, that the agreement for maintenance of street curb be accepted and executed and that the original, previously reduced security posted for the site, be returned.